

Alternative Transportation Governance Structures

Prepared for the Governance Committee
of the Transportation Vision 21 Task Force

~~Updated February 9, 2001~~

Updated February 20, 2001

Introduction

Over the last year, the Governance Committee has received testimony concerning responsibilities, authorities and accountability within the transportation system governance structures from representatives of all levels of governments as well as other interested parties. The Committee has identified and discussed the many issues that surfaced during the testimony. Various questions were raised. What government agency has the *final approval* of the various aspects of the system including planning, designing, funding, constructing, operating and maintaining the various components of the system? Who should be *responsible and accountable* for Arizona's entire transportation system?

Governmental responsibilities for Arizona's highways, transit systems and airports have evolved since statehood. All levels of government own pieces of the total system and thus have the responsibility to build, maintain and operate their respective parts. As the state's population increased, automobile travel exploded, hours of congestion multiplied and environmental issues surfaced. These changes have increased the inter-dependence of transportation systems and places major stress on delivery and coordination of program delivery among levels of governments.

At the national level, the US Congress has passed numerous pieces of legislation to deal with the planning and delivery of transportation facilities and services. These new laws require planning, programming and public involvement process be focused on *regional* solutions. The law further requires the capital improvement programs be approved through cooperative intergovernmental agreements. These laws have had a positive impact on delivery of transportation. However, the Committee believes there are significant opportunities to improve Arizona's transportation delivery system.

Over the last several months, the Committee has examined, compared and contrasted several approaches. During that period, the Committee received substantial testimony from state and regional transportation planners and other interested parties. One approach emphasized a strongly integrated, centralized approach with the majority of responsibilities at the state level. Another approach emphasized strongly integrated, decentralized approach with the majority of responsibilities at the regional or local level.

All approaches attempted to clarify responsibility for planning, design, funding, construction, operation and maintenance of the principal components of the State's integrated

transportation system. These principal components include all interstate routes, interregional routes and intraregional routes of regional significance *for all modes*.

Recommended Changes to the State Transportation Governance Structure

Overview

These proposed recommended changes focus on state government. It uses ADOT and the Arizona Transportation Board as its foundation, but with modifications to their current powers and duties.

These changes are compatible with the recommended changes to the roles and responsibilities of the regional planning agencies related to the planning and programming of the states major transportation systems.

Expanded Membership of Arizona Transportation Board

The Arizona Transportation Board (hereafter the “State Board”) should be increased to nine members. The members would no longer represent “districts”, but the following restrictions would be imposed on appointments to the State Board:

No more than three State Board members should be appointed from counties with a population greater than one-third of the state’s population, according to the most recent decennial census;

No more than one State Board member may be appointed from any other county; and
State Board members may not serve in elected positions.

The State Board members will represent the entire state. The State Board members shall serve 6 years terms. Two members will be appointed every other year and one member appointed on alternative years. The members will annually elect a Chairman and Vice-Chairman. The Chairman must be rotated annually and at least every third year, it shall be a member from counties greater than one-third of the state’s population.

Establish a Statewide Transportation Policy Statement

A new requirement should be established in law providing for the State Board to develop and adopt multi-modal transportation policies to be known as the Statewide Transportation Policy Statement. The purpose of the Policy Statement shall be to assure the development and maintenance of a comprehensive, modally integrated and balanced statewide transportation system. The State Board shall consider, and to the greatest extent practicable incorporate the transportation goals and policies of local and regional transportation agencies in developing these policies. The Policy Statement shall be updated every two years.

Establishment of a Long-Range, Statewide, Multi-modal Transportation Plan

The State Board, by law, shall direct the development of and adopt a Long-Range, Statewide, Multi-modal Transportation Plan for State owned facilities and for transportation facilities that are of state interest. This plan will include inter-regional roadway, aviation, freight

rail, rail passenger, ~~and~~ public transit and bicycle and pedestrian services. The Long-Range Plan shall identify the programs and services that can be accomplished in twenty years with the existing revenue stream. The twenty-year plan shall be updated every five years.

Establishment of Transportation System Performance Measures

The State Board shall direct the development of and adopt key transportation system performance measures. These measures will be used to:

- Guide the selection of transportation projects and programs for the 6-year transportation program (The 6-year program replaces ADOT's existing 5-year program consistent with the existing federal funding cycle.);
- Monitor and serve as the basis for a report identifying the performance of the state's transportation system; and
- Allocate State and Federal financial resources among the Department's major program categories.

The adopted transportation performance measures shall be utilized by all state, regional tribal, and local transportation agencies for both planning and programming decisions. The measures should be, to the extent possible, applicable across transportation modes although some may focus on a single mode as appropriate. In conjunction with the adopted performance measures, the State Board shall adopt standardized system performance data collection and reporting requirements for use by all state, regional tribal, and local transportation agencies.

The Department shall develop and use detailed criteria designed to meet the State Board's approved performance measures in identifying projects for the Six-Year Program. The project selection process shall also be in conformance with state and regional growth policies.

State Responsibility for Interregional Routes and Facilities

The Department, under the direction of the State Board, shall have all planning, programming, development and maintenance responsibility for the following transportation systems:

- Interstate Highways –(e.g. I-8, I-10, I-15, I-17, I-19, I-40)
- Inter-Regional Highways.-(e.g. SR-85, SR 169, SR 87)
- Intra-Regional Highways of statewide significance (e.g. Maricopa Freeways, US 60, SR 210 – Aviation Parkway)
- Routes serving National and State Parks and other major activity centers.
- Inter-Regional Transit Services
- State Aviation Fund Projects

Transportation System Needs Data

The State Board shall continually maintain data concerning the twenty-year needs of the state owned transportation systems and those other systems of interest to the statewide system. The Long-Range Plan, as updated, will serve as the basis for this needs estimate. The State Board will prepare an biennial report of state and local transportation needs, in those years in which a state operating budget is not adopted.

All cities, counties and other transportation agencies receiving State or federal transportation funds shall maintain standardized records of their twenty-year transportation needs and report those needs annually to the State Board. The State Board shall adopt standards for the contents and complexity of the local transportation reports, which shall recognize the differences in local circumstances. As appropriate, local governments may rely on the planning activities and reports of regional planning agencies.

The State Board shall adopt policies establishing the multi-modal performance standards for transportation routes of state and regional significance. The owners of such routes shall ensure that the standards are achieved. Failure to take the necessary actions to ensure achievement of the established performance standards may result in a loss of state funding.

State Board Staffing

The State Board shall be provided, by law, adequate, separate staff (from the Department) to evaluate the Transportation Policy Statement, the Twenty Year Transportation Plan, and the System Performance Measures. The Board shall hire and fire its staff.

Department Support of the State Board

The Department shall also assist the State Board by:

Developing the Statewide Transportation Policies, the Statewide Transportation Plan and Needs Analysis;

Developing transportation performance measures and the annual performance reporting of the states transportation systems; and

Identifying transportation projects to be included in the Six-Year Transportation Program, based on the policies and analyses listed above.

Advance Identification of Future Transportation Corridors

The Department shall identify transportation corridors for future development.

Technical Assistance for Local, Regional and Tribal Transportation Planning

The Department shall provide technical assistance to local, regional and tribal planning agencies for all phases of the transportation planning process. This assistance should include such activities as GIS data, transportation modeling and forecasting.

Audits of HURF monies use

The State Board shall direct the conduct a biennial audit financial compliance of the state, city and county uses of HURF distributions to ensure all HURF monies are used solely for permitted transportation purposes.

State Established Regional Planning Policies

The Department shall develop and the State Board shall adopt policies and procedures to regulate the approval of specific transportation system projects at the regional level. The purpose of the policies and procedures shall be to ensure all regions are using the same procedures. Such procedures shall ensure that any regional project approval processes are conducted in accordance with federal and State Board policies, procedures and requirements.

Encouragement of Public-Private Partnerships

The State Board and the Department should pursue all available opportunities to extend available transportation revenues through public-private partnerships and increased privatization wherever appropriate.

Aviation Planning

The proper planning and management of aviation services as an integrated part of the overall transportation system within the State must recognize the ~~unique requirements imposed on aviation as a result importance~~ of the commonshared airspace, land use decisions adjacent airports and in major air corridors, effective inter-modal connections for both people and goods and facility requirements. ~~Although a~~ Airspace management is largely under the control of federal agencies ~~and consequently constrains the independent prerogatives of~~ state, regional and local transportation planning must recognize and address airspace capacity and utilization. Additionally, the system performance measures for the aviation system must recognize the unique nature of aviation. Aviation planning must recognize the importance of airports as regional economic drivers and must incorporate inter-modal ground connections.

An objective, comprehensive study of Arizona future aviation system needs, as an integral part the State's transportation system, should be undertaken. That study must examine, at a minimum, airspace capacity and utilization, land use compatibility, inter-modal connections and aviation facility requirements.

Establishment of Regional Transportation Districts

Overview

Regional Transportation Districts would be established to address regional, multi-modal transportation requirements. The Districts would be responsible for developing, implementing and operating multi-modal transportation systems to meet regional transportation needs. The Districts will enable urban areas throughout Arizona to improve and maintain regionally significant transportation systems and services through the establishment of a transportation districts that are not bound or limited by existing county or incorporated city boundaries.

State Established Regional Transportation Districts

Regional Transportation Districts would be authorized in enabling state statutes, which would provide legal basis for their creation and operations. In accordance with the state statutes, a Transportation District (hereafter the “District”) would be established to include urban areas with inter-related transportation systems. Districts shall be established in ~~all~~an urban areas with a central city with a population in excess of 100,000 persons. Urban areas with a central city of less than 100,000 may create a District with the permission of the State Board.

District Boundaries

The boundaries of a District shall be established at the expected 20-year transportation planning area and shall include all portions of a geographically integrated transportation region. An integrated transportation region can be identified using employment commuting patterns, commercial development patterns and other transportation system indicators. The State Board shall ~~has~~ verify the established boundaries of each District. The boundaries of each District should be periodically reviewed, at least every ten years, and adjusted to reflect changing transportation patterns.

Elected District Governing Board

The District governing board would be elected and would be composed of five members serving staggered four-year terms. Members shall not serve more than two full terms. The District governing board shall have overall financial, operational and legal responsibility for the District.

Independent District Staff

The District would have an independent professional staff responsible for planning, designing, constructing, operation and maintaining regionally significant intraregional transportation facilities within the District. The District may utilize the services or personnel of other political subdivisions through intergovernmental agreement or hire its own staff.

District’s Long Range Transportation Plan

The District governing board shall approve a six-year intermodal transportation plan (consistent with the federal funding cycle) and twenty-year intermodal transportation plan for the District’s transportation facilities. All District plans shall be developed in accordance with the State adopted procedures and shall incorporate State adopted performance based planning methods.

The District plan shall include regional roadway, aviation, freight rail, rail passenger, bicycle and pedestrian and public transit services. The plan shall identify programs and services to be accomplished in twenty years with the existing revenue stream. The District’s plan shall

recognize and incorporate the inter-regional facilities identified in the State's long-range Transportation Plan.

The twenty-year plan shall be updated every five years. The six-year plan shall be updated annually.

The twenty-year plan and the six-year plan shall conform to the state prescribed development process and transportation performance measures.

District's Responsibilities for Regional Facilities

The District shall have all planning, programming, development, operational and maintenance responsibility for regionally significant transportation facilities including:

Intra-Regional Transportation Systems and Facilities of regional significance (e.g. Glendale Ave. Baseline Road, Regional Express Bus Service (in MAG), Oracle and Tangerine (in PAG) and Gurley Street in Prescott)

Inter-City, Intra-Regional Transit services

The District Board shall determine, after consultation with local and state transportation agencies, the facilities and systems within its region for which it will be responsible. In instances of dispute over responsibility for specific facilities, the State Board shall assign responsibilities for the disputed facilities by resolution.

The District shall recognize and incorporate federal planning requirements, such as air quality conformance, in their planning and operating practices. The District would interact with existing planning agencies in a manner similar to counties and cities.

The Districts in cooperation with local governments and regional transportation planning agencies shall develop and adopt a needs analysis including system cost and available revenues and report the outcome of these studies to the State Department and District Board. The needs analysis shall use common set of standards and performance measures established by the State.

The Districts shall be authorized to enter into intergovernmental agreements with existing transportation agencies for the implementation of any of its duties and responsibilities.

State Board Resolution Of Conflicts Among Districts

To the extent that plans of adjacent Districts conflict, the State Transportation Department shall mediate the areas of conflict and State Transportation Board shall adopt the controlling resolution.

District Board Authorized Taxing Power

The Districts shall be empowered, by a vote of the governing board, to levy and collect sales taxes, property taxes and transportation development fees to fund their operations as prescribed by state statute. The power to authorize taxes shall be delayed for two years

following the creation of the District. The District Board may chose to submit any tax or fee proposal for voter approval.

The Districts shall also receive a share of any incremental transportation related revenues collected by the State for intraregional routes of regional significance. The Districts shall be authorized to issue transportation bonds secured by local and state-shared revenues. The Districts should consider all available funding solutions, not just additional taxes.

Encouragement of Public-Private Partnerships

The District should pursue all available opportunities to extend available transportation revenues through public-private partnerships and increased privatization wherever appropriate.

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February 20, 2001**